

# **MINUTES OF THE COMMISSION FOR HUMAN RIGHTS**

**October 30, 2015**

**A meeting of the Commission for Human Rights was held on Friday, October 30, 2015. Present at the meeting were Commissioners Alberto Aponte Cardona, Esq., Rochelle Bates Lee, Tolulope Kevin Olasanoye, Esq. and Camille Vella-Wilkinson. Absent were Commissioners John B. Susa, Chair, Angelyne E. Cooper, Esq., and Iraida Williams. The meeting commenced at 12:25 p.m.**

**Commissioner Lee moved for approval of the minutes of August 28, 2015 and September 25, 2015. The motion was seconded by Commissioner Olasanoye and carried.**

**Status Report of Michael D. Évora, Executive Director by Cynthia Hiatt, Esq.**

**Cynthia Hiatt reported that a delegation from Ukraine will be coming to the Commission in November for a discussion of the Commission's role.**

**Also Ms. Hiatt reported that the Director wanted to modify the Records Retention Policy and asked for Commissioners comment. The Commissioners urged consideration of digital record keeping.**

**A written report was handed out. All new information is in bold print.**

**Case Production Report – Attached**

**Aged Case Report – No aged cases to report.**

**Outreach Report – Attached**

**STATUS REPORT – COMMISSIONERS**

**Commissioner Meeting -2- October 30, 2015**

**OUTREACH:** Commissioner Vella-Wilkinson reported that she and Commissioner Lee attended a community outreach with DARE which focused on former offenders and housing matters. Also, Commissioner Vella-Wilkinson with help of Commissioner Williams obtained approval of an acoustical survey of the Warwick City council chambers to determine appropriate hearing assistive devices. On November 21st at 9AM the City of Warwick will have a Bootcamp

**Breakfast regarding outreach on just cause housing evictions for veterans. The location will be forwarded for anyone wishing to attend. Commissioner Vella-Wilkinson participated in a demonstration at the PUC protesting power shut offs to medically fragile customers. Commissioner Vella-Wilkinson will also be working with Senator Lynch on a bill to increase protection against power shut offs for those who are medically fragile.**

**GENERAL STATUS:** Discussed were the rulings Commissioners made on the bench at a PDC.

**There was no word yet on Commissioner appointments.**

**STATUS REPORT – LEGAL COUNSEL:** Cynthia Hiatt and Francis Gaschen

**LITIGATION:** The Commissioners reviewed pending litigation in which the Commission has a role. Report attached.

**LEGISLATION:** No legislation to report at this time.

**HEARING SCHEDULE/STATUS OF HEARING CASES:** The hearing schedule was discussed.

**Commissioner Meeting -3- October 30, 2015**

**The meeting adjourned at 1:30 p.m. The next regular meeting of the Commission is November 20, 2015 at 12:00 noon.**

**Respectfully Submitted,**

**Michael D. Évora  
Executive Director**

**Notes taken by B. Ross**

**EXECUTIVE DIRECTOR'S  
REPORT TO COMMISSIONERS  
30 October 2015**

## **I. BUDGET**

**S = State/General Revenue; F = Federal (EEOC/HUD); T = Total**

	<b>FY 2016</b>	<b>FY 2016</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2017</b>
	<b>(Req.)</b>	<b>(Gov.Rec./Passed)</b>	<b>(Rev. Req.)</b>	<b>(Request)</b>	<b>(Constr. Request)</b>
<b>S</b>	<b>1,231,273</b>	<b>1,252,174</b>	<b>1,247,562</b>	<b>1,261,749</b>	<b>1,181,192</b>
<b>F</b>	<b>319,355</b>	<b>295,386</b>	<b>310,874</b>	<b>323,295</b>	<b>323,295</b>
<b>T</b>	<b>1,550,628</b>	<b>1,548,010</b>	<b>1,558,436</b>	<b>1,585,044</b>	<b>1,504,487</b>

The House Finance Subcommittee on General Government held a hearing on the Commission's FY15 (Revised) and FY16 (Recommended) budget proposals, Cynthia Hiatt attended the hearing in my absence, gave a brief overview of the Commission's accomplishments in FY14, and answered questions from Committee members.

The House and Senate passed the state's FY16 (and FY15 Final) budgets. The particulars for the Commission are highlighted above.

Betsy Ross, Chief Clerk, and I are in the process of working with our Budget Analyst on the Commission's FY16 (Revised) and FY17 (Request) submissions (due September 18). Per the Budget Instructions, every state agency is being asked to submit a two-tiered budget request for FY17, one assuming regular funding

**(unconstrained), and one assuming a 7.5% reduction in General Revenue (constrained). We also will be submitting Impact Statements advising the Governor, Budget Office and General Assembly of the impact that implementation of the constrained budget would have on our mission/strategic plan. The budget was submitted on September 17.**

**On October 29, I submitted the Commission's FY16 First Quarter Report to the Budget Office, as required by state law. The Report projects a surplus in General Revenue of \$4,612 at the close of FY16; a deficit of \$15,038 is projected in our federal accounts at the close of FY16. This projected federal deficit does not take into account our increased HUD contract (signed September 2015), which is expected to cover the deficit.**

## **II. FEDERAL CONTRACTS**

**EEOC – For federal FY12 (ending September 30, 2012), according to EEOC Project Director Marlene Toribio, we closed 237 co-filed cases.**

**Our contract with EEOC for FY12 was for 235 cases. For federal FY13 (ending September 30, 2013), we closed 201 co-filed cases. Our contract with EEOC for FY13 was for 199 cases. For federal FY14 (ending September 30, 2014), we closed 232 co-filed cases. Our modified contract for FY14 was for 230 cases. For federal FY15 (beginning October 1, 2014), we closed 212 co-filed cases. Our modified contract for federal FY15 was for 210 cases. For federal**

**FY16 (beginning October 1, 2015), we have closed [number to be determined after 10/31/15] co-filed cases. Our contract with EEOC is not yet known.**

**HUD – For FY14, we took in 49 new housing charges, 47 of which were co-filed with HUD, and we processed 51 cases, 50 of which were co-filed with HUD (three of these processed cases were post-PC conciliations). For FY15, we took in 101 new housing charges, 66 of which were co-filed with HUD. (32 were not eligible for co-filing and three were deferred to HUD for investigation.) We processed 94 cases, 65 of which were co-filed with HUD; two of these processed cases were post-PC conciliations. For FY16 (beginning July 1, 2015), we have taken in 31 new housing charges, 27 of which are (or are expected to be) co-filed with HUD. Within this same time period, we have processed 25 cases, 18 of which were co-filed with HUD; nine of these processed cases were post-PC conciliations.**

**HUD PARTNERSHIP GRANTS – Because the LGBT/Domestic Violence Victims projects came in under budget, HUD agreed to permit us to use leftover grant funds to produce a general fair housing brochure, poster and Power Point presentation for use in outreaches going forward, and to conduct five fair housing outreaches throughout the state. A general fair housing poster and brochure have been drafted and approved by HUD. We now await word on the pending “military status” amendment to the state fair housing law before proceeding with translation, printing and distribution. The military status bill was**

signed by the Governor and is now law. HUD has approved the final brochure and poster designs. They have been translated into five languages and we have received them for distribution. We will schedule the requisite outreaches to complete the project.

**III. PERSONNEL – No new information.**

**IV. OUTREACH – Refer to attached report.**

## **V. GENERAL STATUS**

**&#9679;Meetings with staff members – I continue to meet monthly with individual investigative staff members to monitor case production.**

**&#9679;Case Closures – Refer to attached report.**

**In FY11, we processed 422 cases; in FY12, we processed 411 cases (approx. 3.5% decrease). For FY13, we processed 389 cases (approx. 5% decrease from FY12). For FY14 (beginning July 1, 2013), we processed 376 cases (decrease of approx. 3% from FY13). For FY15, we processed 425 cases, a 13% increase over cases processed in FY14. For FY16 (beginning July 1, 2015), as of the end of September, we have processed 86 cases (compare to 94 cases in this same time period in FY15).**

**&#9679;Aged Cases – (Report attached) There are two aged cases in**



the Commission's inventory for federal FY16 (beginning October 1, 2015). Both of these cases, which involve the same respondent which is in receivership, are in investigation. The Investigator is working with Legal Counsel Frank Gaschen to attempt to obtain information from the attorney handling the receivership.

•Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 1998. We ended FY11 with 323 cases in inventory, FY12 with 255 cases, FY13 with 265 cases, and FY14 with 290 cases. As of 10/29/15, we had a total of 341 cases in inventory; 18 of these cases were pending assignment.

•EEOC Regional Conference – Marlene Toribio, EEOC Project Director, and I attended the regional conference for FEPAs in Portsmouth, NH from October 19-21. The conference presented a great opportunity for information sharing among the FEPAs.

•Annual Report – I have begun working on the FY15 Annual Report. My goal is to have a completed draft for Dr. Susa to review and sign in late December.

•Pay Equity Study – The Commission has undertaken a pay equity study to determine the disparity between salaries at the Commission and those of comparable positions in state service.

•Potential Partnership with Roger Williams University Law

**School – On October 29, Frank Gaschen, Legal Counsel, and I met with officials from RWU Law School to explore the possibility of RWU Law instituting a Fair Housing Clinic focused on housing testing. We will be following up this initial meeting with HUD to explore funding possibilities.**

**&#9679;HUD Onsite/Performance Assessment – HUD conducted an onsite visit on March 16 as part of its annual performance assessment process. During the course of the on-site, HUD officials conducted staff interviews and reviewed case files. We continue to await HUD's report/ conclusions.**

**Respectfully submitted,**

**Michael D. Évora**

**Executive Director**

**Attachments**